

*These notes refer to the Enterprise and Regulatory Reform Act 2013 (c.24) which received Royal Assent on 25 April 2013*

# **ENTERPRISE AND REGULATORY REFORM ACT 2013**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

*Part 3: the Competition and Markets Authority and Part 4: Competition Reform*

**Part 3: the Competition and Markets Authority**

*Schedule 5: Amendments related to Part 3*

**Part 2: Transfer of functions under the Enterprise Act 2002 to the Competition and Markets Authority**

**Competition and Market Authority's functions in relation to cartels**

211. Paragraphs 210–216 deal with the transfer of the functions of the OFT in relation to the cartel offence, which is set out in section 188 of the EA 2002 to the CMA. As with anti-trust functions, the OFT's Board is responsible for decisions in relation to the OFT's functions on the cartels. This decision making power is also transferred to the CMA Board.